

Notice of Allowability

Application No.

10/709,530

Examiner

Joseph W. Drodge

Applicant(s)

MULLINS ET AL.

Art Unit

1723

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the filing of the Application on May 12, 2004.
2. ☒ The allowed claim(s) is/are 1-21.
3. ☒ The drawings filed on 12 May 2004 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date 0504
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date 0504.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

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EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with John Merkling on October 26, 2004.

The application has been amended as follows: In claim 7, line 2 "valve" has been replaced with -- regulatory assembly -- .

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The following is an examiner's statement of reasons for allowance:

Independent claims 1 and 16, and claims dependent therefrom distinguish over the closest prior art constituting Peterson et al patents '197, '199, '399 and '255, of record, and over newly cited Peterson et al patent 6,251,279 and applicant cited publication "Section 510(k) application for a marketed device" in view of the following:

Instant claims 1 and 16 claim, and patents '197, '199, '399 and '255 as well as the publication teach, a water supply system having the components of storage tank with inlet and outlet, flow control valve, pump, outlet line, supplying branch connections, and shunt feedback line. Instant claims 1 and 16 distinguish over these patents by recitation of ***a pressure regulatory assembly in the shunt feedback line*** although The Publication appears to teach such assembly. Instant claims 1 and 16 also distinguish over the Publication for recitation of ***an inlet coupling connecting the inlet line or branch connections (instant claim 16) to the inlet line of the tank and a mating coupling to selectively receive or couple with the inlet coupling to form an isolated sub-system or establish an independent disinfectant system***. Patent '279 does teach an analogous heat disinfection subsystem for disinfecting a tank in a water supply system, however by way of a separate loop that is separately connected to a separate inlet of the tank, thus does not suggest a mating coupling.

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Instant method claim 21 distinguishes over the same prior art in view of recitation of a method to provide water from a main water supply system to a high demand device by connecting a supply sub-system to a main supply system with the supply sub-system having a storage tank with inlet and outlet, pump, outlet line and shunt feedback line with a pressure regulatory assembly, connecting the high demand device to the supply sub-system, flowing water from the main supply system into the sub-system through a flow control valve at a reduced rate to maintain constant water pressure, controlling the water supply to the high demand device by regulating water pressure in the shunt feedback line by a pressure regulatory assembly, in combination with the following feature: ***at selected intervals, disinfecting the sub-system using a chemical whereby the sub-system is isolated from the main supply system during the disinfecting step by disconnecting the inlet from the main water supply system and connecting the inlet to the high pressure side of the pump.***

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph Drodge at telephone number 571-272-1140. The examiner can normally be reached on Monday-Friday from 8:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wanda Walker, can be reached at 571-272-1151. The fax phone number for the examining group where this application is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either private PAIR or Public PAIR, and through Private PAIR only for unpublished applications. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have any questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JWD

October 27, 2004


JOSEPH DRODGE
PRIMARY EXAMINER